Introduction

Indian tribes have always lived on every major watershed in what is now the State of Washington. From time immemorial, tribal cultures, spirituality and economies have centered on fishing, hunting and gathering the natural resources of this region.

In the mid-1850s, when the United States sought to make land available for settlement in what is now the State of Washington, the tribes signed treaties through which they reserved that which was most important to them. Among those reserved rights was the right to harvest salmon in all of their usual and accustomed fishing places.

The promises of the treaties were broken in the years that followed. When tribal members tried to exercise their treaty-reserved rights, they were jailed and their catches confiscated. In 1974 the promises of the treaties were finally upheld when a federal district court reaffirmed the tribes' reserved rights in *U.S. vs. Washington,* also called the Boldt Decision. The ruling, subsequently upheld by the U.S. Supreme Court, established the tribes as co-managers of the salmon resource along with the State of Washington.

Tribal fisheries management programs have evolved to fulfill the tribes' roles as co-managers of the salmon resource. As court involvement in the planning process faded away, the tribal and state co-managers began to work cooperatively to develop joint salmon management plans.

Treaty tribes in western Washington operate programs addressing every aspect of natural resource management, from water quality, to forest management, shellfish, wildlife and more. Tribal salmon management has evolved as emerging fisheries have gained new importance and the challenge of managing salmon continues to grow.

A tribe's salmon management program typically includes a manager who oversees staff working in the areas of harvest management, enhancement and habitat. The fishery manager develops fishery plans and run size forecasts, assesses spawning escapement needs and monitors stock status, among other duties.

Each tribe or tribal natural resource management cooperative maintains enforcement programs to ensure that fishing regulations are observed. Enforcement officers work with state and federal enforcement personnel to protect the resource. Violations of tribal fishing laws are prosecuted in tribal courts.

Tribes also conduct fisherman identification and vessel registration programs. When a treaty fisherman sells his catch, his identification number is included on a fish receiving ticket that records the number, weight, species and location of harvest. The information is an important part of the Treaty Indian Catch Monitoring Program managed by the Northwest Indian Fisheries Commission. Catch data, which is critical to harvest management, is shared on a same-day basis with the Washington Department of Fish and Wildlife (WDFW).

Salmon Management Processes

From the moment of its birth, a Pacific Northwest salmon begins an epic journey through waters off the U.S. and Canadian coasts and through waters in the North Pacific before returning to the stream of its birth to spawn and die.

Fisheries in Puget Sound, the Strait of Juan de Fuca and nearshore coastal waters are co-managed by the treaty Indian tribes and WDFW.

As a sovereign government, each tribe regulates and coordinates its own fishery management program within its Usual and Accustomed fishing area. Tribal management jurisdiction includes six species of salmon, halibut, bottom fish, shellfish and other marine species. Tribes conduct fisheries off the Washington coast, in coastal rivers and bays, and throughout the inland waters of Puget Sound and its tributaries.

WDFW manages the state's share of the salmon resource, as well as other food fish and shellfish for commercial and sport user groups.

Pacific Fishery Management Council

Tribal and state managers work cooperatively through two overlapping processes, the Pacific Fishery Management Council (PFMC) and the North of Falcon process (NOF), to shape fishing seasons that protect the weakest salmon stocks. The PFMC is a public forum established by the federal government and is charged with creating a comprehensive fisheries plan, including the varied interests of tribal, state and federal managers, commercial and sport fishing groups and environmental groups.

While the PFMC is planning ocean fisheries, treaty tribes and states of Oregon and Washington in the NOF process are outlining their inshore and coastal fisheries. The North of Falcon process is so named because it deals with fisheries north of Cape Falcon, Oregon, to the U.S./Canada border. Through NOF, tribal and state biologists forecast expected salmon returns to specific areas. Population estimates are based on biological data collected during salmon migration, along with habitat information and weather conditions that also effect salmon populations. The number of fish available to harvest, determined through NOF, is what is left after escapement needs are met. Escapement is the number of fish needed to spawn and perpetuate a run at a desired level.

Pacific Salmon Treaty

Adult salmon returning to Washington migrate through both U.S. and Canadian waters and are harvested by fishermen from both countries. The 1985 Pacific Salmon Treaty, developed through cooperation by the tribes, state governments, U.S. and Canadian federal governments, and sport and commercial fishing groups, helps fulfill conservation goals and the right of each country to reap the benefit of its own fisheries enhancement efforts.

The treaty is implemented by the eight-member bilateral Pacific Salmon Commission (PSC), which includes representatives of federal, state and tribal governments. The PSC does not regulate salmon fisheries, but provides regulatory advice and recommendations, and a forum for the two countries to reach agreement on mutual fisheries issues. Three regional panels provide technical and regulatory advice to the PSC. In years when treaty agreements are not reached, the tribes have worked to ensure fisheries are still managed responsibly. Indian and non-Indian harvests are taken from a portion of the run surplus to escapement needs of the stock, or from a percentage of the overall run size.

In-Season Management

In-season management between treaty tribes and the state is an ongoing process during the fishing season. While the agreements during NOF outline the goals of the upcoming fisheries, in-season planning is the process of how those goals evolve into on-the-ground fisheries. By looking at fishing effort, weather conditions and several other factors that could not be foreseen in preseason meetings, the tribes and the state shift fisheries to best protect the salmon resource. Each tribe regularly issues "emergency regulations," in addition to their annual fishing regulations, that reflect these changes. Emergency regulations, usually issued about a week or two in advance, outline the days that can be fished and the reason for the fishery.

In addition to serving at the policy level on the PSC and its panels, tribal representatives also participate on the many committees and work groups providing technical support for the treaty's implementation. Tribes also conduct research as an integral part of the treaty's implementation.

Following are two examples of typical tribal salmon management efforts by the treaty tribes in western Washington.

Port Gamble S'Klallam Projects Eye Hatchery Coho

The Port Gamble S'Klallam Tribe is conducting two projects to better understand how hatchery coho salmon return to Port Gamble Bay and nearby Hood Canal streams.

"We want to really know what is truly happening with these hatchery coho populations: when they return, where they are going, and how they affect other salmon stocks," said Cindy Gray, finfish manager for the Port Gamble S'Klallam Tribe. The tribe rears a hatchery coho stock from the Quilcene National Fish Hatchery at the Port Gamble Bay Net Pens.

To find out exactly what those fish are doing, the tribe is combining information from a Port Gamble Bay test fishery with a new genetic study. Coupling information from the two projects will help the tribe determine the best way to manage hatchery coho salmon fisheries with minimal risks to wild salmon stocks.

The test fishery, which involves setting a gillnet in the same spot in Port Gamble Bay twice a week from July 31 through Oct. 6, gives the tribe an idea as to when hatchery coho move into the bay, when the run peaks, and what other species of salmon are mixed with the returning coho. This is the final year of the three-year test fishery project.

The new genetic study, which begins this fall and also will run for three years, builds on an existing effort of tribal crews surveying spawning grounds. Those crews will walk nearby streams and collect genetic samples from salmon carcasses, taking a tissue sample from each salmon's gill cover and also checking each carcass for an adipose fin and a coded wire tag. As juveniles, Port Gamble Bay hatchery coho salmon have their adipose fin removed and a coded wire tag inserted in their nose to distinguish them from wild coho. The tag contains information on when the fish was released and where the fish was reared.

The study is funded through the Pacific Coastal Salmon Recovery Fund.

Tim Seachord, hatchery manager for the Port Gamble S'Klallam Tribe, pulls in a salmon during a test fishery.

The genetic study will initially focus on eight northern Hood Canal streams: Martha John, Little Anderson, Seabeck, Stavis, Shine, Thorndyke, Tarboo, and Rocky Brook creeks. The tribe also will collect information on juvenile salmon on Little Anderson, Big Beef, Seabeck and Stavis creeks. The juvenile salmon study is in conjunction with U.S. Fish and Wildlife Service.

By studying salmon carcasses, the tribe can determine how hatchery and wild coho populations interact, and if that interaction is harming wild coho or any other salmon species such as summer chum. The Hood Canal summer chum population is listed as "threatened" under the federal Endangered Species Act.

"These projects will help us determine the best way to manage hatchery fish, and properly adjust our fisheries," Gray said.

Jimmycomelately Creek Project Completed

It took three years, dozens of partners and millions of dollars to undo what a century of progress did to Jimmycomelately Creek.

For more than 100 years, the creek that flows into Sequim Bay underwent serious alterations. Farmers straightened the stream for irrigation purposes; builders constructed dikes to protect developments; and loggers stripped away vegetation to make space for farmland.

But thanks to a completed restoration project, Jimmycomelately Creek and its estuary no longer show the scars of that previous mismanagement. The massive project, spearheaded by the Jamestown S'Klallam Tribe, transformed the landscape back into a healthy creek and estuary for fish and wildlife, while alleviating seasonal flood problems.

In July, the tribe, along with Gov. Christine Gregoire and other state, federal and local representatives, celebrated the restoration project during a ceremony near Jimmycomelately Creek in Blyn. Work on the project was spread out over three years, and included the digging of a new creek channel, the removal of several roads and structures, and the construction of a new bridge over Highway 101. The project's cost totaled $6 million, mostly funded with state and federal grants.

"The enormous size and scope of this project shows you just how important this creek, estuary and bay are to the tribe," said Ron Allen, chairman of the Jamestown S'Klallam Tribe. "We were determined to fix this poorly functioning waterway. And with the help of all the other governments, organizations, neighbors and volunteers that contributed to this project, we have done just that. Now the next step is to bring back the salmon."

Today, the annual chum salmon return to Jimmycomelately Creek is miniscule. The salmon returning to the stream – Hood Canal summer chum – are listed as "threatened" under the federal Endangered Species Act. The creek and estuary also are home to steelhead and cutthroat trout, along with coho salmon and several species of birds.

Jamestown S'Klallam Tribe natural resources technicians plant trees near Jimmycomelately Creek.

To help bring back a self-sustaining population of salmon, the tribe began the ambitious creek restoration project in 2002. The tribe and two state agencies purchased about 25 acres of land at the mouth of the creek. A new meandering channel, which followed the creek's course more than a century ago, was constructed. Two crumbling railroad bridges also were taken out, and a new bridge for Highway 101 was constructed over the creek.

Landfill and an old road to a former log yard site were removed, creating restored habitat for eelgrass, migratory birds and shellfish. Other roads and structures were removed and the newly created creek side and estuary were also re-planted with native trees and shrubs. The Washington Department of Fish and Wildlife and local volunteers implemented a broodstock recovery program to also help rebuild the chum salmon run.

"We really couldn't have accomplished this project without the help of all the groups involved, and most importantly the local landowners in the area," said Byron Rot, habitat biologist for the Jamestown S'Klallam Tribe.